



**STATE OF NEVADA**  
**COMMISSION ON ETHICS**  
<http://ethics.nv.gov>

**Wednesday, August 9, 2006**  
**9:00 a.m.**

**Nevada Legislature**  
**401 South Carson Street, Room 3137**  
**Carson City, Nevada 89701**

**Via videoconference to:**

**Legislative Counsel Bureau**  
**Grant Sawyer Building**  
**555 E. Washington Avenue, Room #4406**  
**Las Vegas, Nevada 89101**

**MINUTES**

These minutes constitute a summary of the above proceedings of the Nevada Commission on Ethics.  
A verbatim transcript of the open session proceedings, prepared by a certified court reporter,  
is available for inspection at the Commission offices in Carson City and Las Vegas.

**Commission Member Present (in Carson City):**  
**Caren Jenkins, Esq., Chairman**

**Commissioners Members Present (in Las Vegas):**  
**Mark A. Hutchison, Esq., Vice Chairman; Randall Capurro;**  
**Timothy Cashman; William Flangas;**  
**George Keele, Esq.; Jim Kosinski, Esq.**

**Commission on Ethics Staff Present (in Carson City):**  
**Adriana G. Fralick, Esq., General Counsel**  
**Emily H. Nunez, Office Manager**

**Commission on Ethics Staff Present (in Las Vegas):**  
**L. Patrick Hearn, Executive Director**  
**Tami DeVries, Research Analyst**  
**Matt DiOrio, Senior Investigator**

Chairman Jenkins called the meeting to order at 9:07 a.m., Wednesday, August 9, 2006.

Agenda Item 1 – Open Session for discussion welcoming new Executive Director

Chairman Jenkins opened this agenda item to welcome Pat Hearn, and invited him to make any comments he'd like to share. Mr. Hearn is looking forward to leading the agency and staff to continued success. He also stated that as he becomes more familiar with processes and procedures that he might be making recommendations to the Commission for modifications.

Chairman Jenkins encouraged Mr. Hearn to contact each Commissioner for their input, expertise and perspectives to assist him in his effort to do his job well. She also advised Commissioners to provide him with candid feedback and to share their vision for the future of this Commission.

Commissioner Keele thanked the Chairman and staff for making available to the Commission editorials and articles with respect to the ethics process in the State of Oregon. He felt the information was useful in looking forward to how we interact with our Legislature and how we as a body formulate new thoughts with respect to ethics in government.

Hearing no other comments, Chairman Jenkins closed this agenda item.

Agenda Item 2 – Open Session for discussion and possible action regarding the Minutes of the July 11, 2006, meeting

Chairman Jenkins opened this agenda item to approve the minutes of the July 11, 2006, meeting. Commissioner Keele moved approval of the minutes. Vice Chairman Hutchison seconded the motion. The motion was put to a vote and passed unanimously. Commissioner Cashman abstained from the vote, because he was not present at the July 11, 2006, meeting. The agenda item was closed.

Agenda Item 3 – Request for Opinion No. 06-28

Open Session to hear testimony, receive evidence, deliberate, and render an opinion relating to an Advisory Opinion, pursuant to NRS 281.511(1).

Chairman Jenkins opened this agenda item and stated that the agenda item was withdrawn by the requester, and therefore, would not be heard. She then closed this agenda item and moved to agenda item 4.

#### Agenda Item 4 – Public Comment

Chairman Jenkins opened the agenda item for public comment. There were no members from the public present; however, Commissioner Keele asked about confidentiality, that if a partial or limited waiver of confidentiality is provided to staff, would that constitute a full waiver of confidentiality. Adriana Fralick, General Counsel, replied that it would depend on the circumstances. Confidentiality may be waived by an individual's conduct. She also stated that once a requester allows other individuals to become aware of the content of a request, the Commission no longer has control over its confidentiality, and, in some cases, such disclosure may result in a *de facto* waiver.

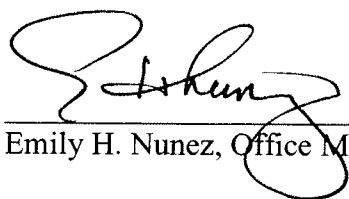
After further discussion and clarification, Chairman Jenkins closed this agenda item and asked that the rooms be secured for the closed session.

#### Agenda Item 5 – Request for Opinion No. 06-28

Closed Session pursuant to NRS 281.511(5) to hear testimony, receive evidence, deliberate and render an opinion relating to a confidential Advisory Opinion Request submitted pursuant to NRS 281.511(1).

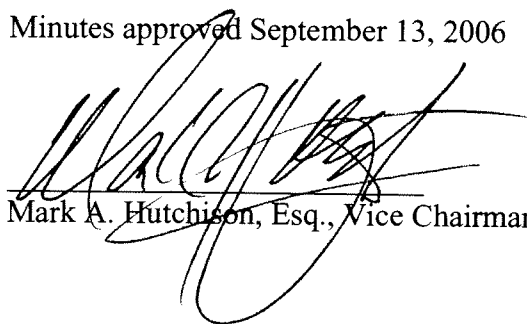
Chairman Jenkins adjourned the meeting at 11:02 a.m.

Minutes transcribed by:



Emily H. Nunez, Office Manager

Minutes approved September 13, 2006



Mark A. Hutchison, Esq., Vice Chairman